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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER
KE, PENG

ART UNIT	PAPER NUMBER
2174	12

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	**Application No.** 09/608,705	**Applicant(s)** CHEW ET AL.
	Examiner Peng Ke	**Art Unit** 2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,12-16,and 19-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8,9,13-16 and 19-23* is/are rejected.

7)☒ Claim(s) *7,12 and 24-28* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: Amendment, filed on 12/16/03.

2.   Claims 1-16 and 19-28 are pending in this application. Claims 1, 8, 19, and 23 are

independent claims. In the Amendment, filed on 12/16/03, Claims 1, 8, 19, and 23 are amended

and claims 24-28 are added.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6, 8-10, 13, 14, 16-19, and 21-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Sampson et al. (US 6,490,624) in view of Williams et al. (US 5,977,964).

As per independent claim 1, Sampson et al. teaches in a computing device, a method for

determining a starting point for an application when a new user session is started, comprising the

acts of:

determining an amount of time since a last interaction with the application (col 8, lines

54-59);

adjusting an interval of time associated with a current user session(col 8, lines 54-59)

comparing the interval of time to the determined amount of time (col 8, lines 54-59); and

when the determined amount of time is greater than the interval of time associated with

the current user session for the application, ending the current user session and starting the new

user session for the application at the starting point when the application is selected (col 8, lines 54-59).

However, he fails to teach adjusting the session in proportion to the frequency of interaction with the application.

Williams et al. teaches adjusting the session in proportion to the frequency of interaction with the application (col. 15, lines 43-64).

It would have been obvious to an artisan at the time of the invention to include Williams et al's teaching with Sampson's method in order to customize the program based on user behavior.

As per claim 2, which is dependent on claim 1, Sampson et al. and Williams et al. teach the method of Claim 1. Sampson et al further teaches wherein each application running on the computing device is associated with a separate current user session and a separate interval of time (col 8, lines 40-53). The examiner is inferring to the fact that user can open up multiple user sessions, which are managed by a group of different session managers.

As per claim 3, which is dependent on claim 1, Sampson et al. and Williams et al. teach the method of Claim 1. Sampson et al further teaches wherein the interval of time represents a maximum period of inactivity for the selected application (col 8, lines 54-59).

As per claim 4, which is dependent on claim 1, Sampson et al. and Williams et al. teach the method of Claim 1. Sampson et al further teaches wherein the interval of time is editable for each application (col 8, lines 40-52). It is inherent that the administrator can preset the idle time and the general time.

As per claim 5, which is dependent on claim 1, Sampson et al. and Williams et al. teach the method of Claim 1. Sampson et al further teaches further comprising:

(a) when a switch for the computing device is transitioned to an on state, determining an amount of time between a last transition of the switch to an off state and a current transition of the switch to the on state (col 8, lines 60-67);

(b) comparing another interval of time to the determined amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 60-67); and

(c) when the determined amount of time is greater than the other interval of time associated with the current user session for the switch, ending the current user session for the application and starting a new user session for the switch, whereby a selection of the application will cause a selected view to be displayed on the computing device and the new user session to be started for the selected application (col 8, lines 60-67).

As per claim 6, which is dependent on claim 1, Sampson et al. and Williams et al. teach the method of Claim 1. Sampson et al further teaches further comprising:

(a) when a switch for the computing device is transitioned to an on state, determining an amount of time between a last automatic transition of the computing device to an off state and a current transition of the switch to the on state (col 8, lines 53-60);

(b) comparing another interval of time to the determined amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 53-60); and

(c) when the determined amount of time is greater than the other interval of time associated with the current user session for the switch, ending the current user session for the application and starting a new user session for the switch, whereby a selection of the application will cause a selected view to be displayed on the computing device and the new user session to be started for the selected application (col 8, lines 53-60).

As per independent claim 8, Sampson et al teaches in a small computing device, a method for displaying a selected view when a new user session is started for one of a plurality of applications on the small computing device, comprising the acts of:

determining an amount of time since a last selection of the application (col 8, lines 54-59);

comparing the determined amount of time for the application to an interval of time that is associated with a current user session for the application (col 8, lines 54-59);

when the determined amount of time for the application is greater than the interval of time, ending the current user session for the selected application and starting a new user session for the application when the application is selected, wherein the selected view of the selected application is displayed in the new user session (col 8, lines 54-59);

associating each application with a separate priority value (col. 9, lines 60-68);

employing each separate priority value to determine when to stop running each application on the small computing device during a period of inactivity (col. 9, lines 42-51); and

employing a frequency of interaction with a particular application to dynamically change the priority value associated with the particular application.

However, he fails to teach adjusting the session in proportion to the frequency of interaction with the application.

Williams et al. teaches adjusting the session in proportion to the frequency of interaction with the application (col. 15, lines 43-64).

It would have been obvious to an artisan at the time of the invention to include Williams et al's teaching with Sampson's method in order to customize the program based on user behavior.

As per claim 9, which is dependent on claim 8, Sampson et al. and Williams et al. teach the method of Claim 8. Sampson et al further teaches the method comprising:

(a) generating a time stamp for each interaction with each application, each time stamp being employed to determine the amount of time since the last interaction (col 9, lines 60-67); and

(b) generating another time stamp for each transition of the switch between the on state and the off state, each other time stamp being employed to determine the amount of time since the last operation of the switch (col 9, lines 60-67).

As per claim 13, which is dependent on claim 8, Sampson et al. and Williams et al. teach the method of Claim 8. Sampson et al further teaches wherein each application is associated with a separate selected view (col 9, lines 60-67, and col 10, lines 1-5).

As per claim 14, which is dependent on claim 8, Sampson et al. and William et al. teach the method of Claim 1. Sampson et al further teaches wherein the selected view is editable for each application (col 8, lines 54-67).

As per claim 16, which is dependent on claim 8, Sampson et al. and Williams et al. teach the method of Claim 8. Sampson et al further teaches wherein the switch is a function switch for the small computing device (col 8, lines 54-67).

As per claim 17, which is dependent on claim 8, Sampson et al. and Williams teach the method of Claim 8. Sampson et al further teaches a computer readable medium readable by a computing system and encoding a computer program of instructions for executing a computer process for displaying a default state when a new user session is started for an application on the computing system, comprising:

(a) determining an amount of time since a last interaction with the application (col 8, lines 54-59);

(b) comparing an interval of time to the determined amount of time, the interval of time being associated with a current user session for the application (col 8, lines 54-59); and

(c) when the determined amount of time is greater than the interval of time, ending the current user session for the application and starting the new user session for the application when the application is selected, wherein the default state of the application is displayed in the new user session on the computing system (col 8, lines 54-59).

As per claim18, which is dependent on claim 17, Sampson et al. and Williams teach the method of Claim 17. Sampson et al further teaches the method comprising:

(a) determining when a switch for the computing system is transitioned to an on state, wherein an amount of time is calculated for a difference between a last transition of the switch to an off state and a current transition of the switch to the on state (col 8, lines 60-67);

(b) comparing another interval of time to the calculated amount of time, the other interval

of time being associated with a current user session for the switch (col 8, lines 60-67); and

(c) when the calculated amount of time is greater than the other interval of time

associated with the current user session for the switch, ending the current user session for the

application and starting a new user session for the switch, wherein a selection of the application

will cause the default state to be displayed on the computing system and the new user session to

be started for the selected application (col 8, lines 60-67).

As per claim 19, which is dependent on claim 17, Sampson et al. and Williams teach

teaches a system for communicating between a client process and a server process in a

computing device.. Sampson further teaches the method comprising:

(a) the client process performing actions, including:

(i) determining an amount of time since a last selection of the application (col 8, lines 53-

60); and

(ii) when a switch for the computing device is transitioned to an on state, determining

another amount of time representing a difference between a last transition of the switch to an off

state and the current transition of the switch to the on state (col 8, lines 53-60); and

(b) the server process performing actions, including

(i) comparing the determined amount of time for the application to an interval of time

that is associated with a current user session for the application (col 8, lines 60-67);

(ii) when the determined amount of time for the application is greater than the interval of

time associated with the current session for the application, ending the current user session and

starting a new user session for the application when the application is selected, wherein the

server process causes a selected view of the selected application to be displayed in the new user session for the selected application (col 8, lines 60-67);

(iii) comparing another interval of time to the other amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 60-67); and

(iv) when the other amount of time is greater than the other interval of time associated with the current user session for the switch, ending each current user session for each application and starting a new user session for the switch, wherein the server process will cause the selected view to be displayed on the computing device and a separate new user session to be started for a selection of any one of a plurality applications on the computing device (col 9, lines 25-35). It is inherent for a session manger to shut down a plurality of application browsers based on general time out.

As per claim 22, which is dependent on claim 19, Sampson et al. and Williams teach the method of Claim 19. Sampson et al further teaches wherein the client process generates a time stamp for each interaction with each application and each transition of the switch (col 9, lines 53-67).

As per claim 21, which is dependent on claim 19, it is of the same scope as claim 16. (see rejection above).

As per independent claim 23, Sampson et al. teaches a system for a client-server environment in a computing device, the client performing actions, comprising:

(a) determining an amount of time since a last selection of an application running on the computing device (col 8, lines 53-60);

(b) when a switch for the computing device is transitioned to an on state, determining another

amount of time representing a difference between a last transition of the switch to an off state

and the current transition of the switch to the on state (col 8, lines 53-60); and

(c) enabling the server to perform actions, including:

(i) adjusting an interval of time associated with a current user session (col 8, lines 53-67).

(iI) comparing the determined amount of time for the application to an interval of time that is

associated with a current user session for the application (col 8, lines 53-67);

(iiI) when the determined amount of time for the application is greater than the interval of time

associated with the current session for the application, ending the current user session and

starting a new user session for the application when the application is selected, wherein the

server causes a selected view of the selected application to be displayed in the new user session

for the selected application (col 8, lines 53-67);

(iv) adjusting another interval of time associated with a current user session (col 8, lines 53-67,

col. 9, lines 25-51))

(v) comparing another interval of time to the other amount of time, the other interval of time

being associated with a current user session for the switch (col 8, lines 53-67); and

(vI) when the other amount of time is greater than the other interval of time associated

with the current user session for the switch, ending each current user session for each application

and starting a new user session for the switch, wherein the server causes the selected view to be

displayed on the computing device and a separate new user session to be started for a selection of

any one of a plurality applications on the computing device (col 9, lines 25-35). It is inherent for

a session manger to shut down a plurality of application browsers based on general time out.

However, he fails to teach adjusting the session in proportion to the frequency of interaction with the application.

Williams et al. teaches adjusting the session in proportion to the frequency of interaction with the application (col. 15, lines 43-64).

It would have been obvious to an artisan at the time of the invention to include Williams et al's teaching with Sampson's method in order to customize the program based on user behavior.

Claims 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson et al. (US 6,490,624) in view of Williams et al. (US 5,977,964) further in view of the Gerdisch (US 6,480,727)

As per claim 15, which is dependent on claim 8, Sampson et al. and Williams et al. teach the method of Claim 8. However they fail to teach wherein the switch is a power switch for the small computing device. Gerdisch teaches a power switch for the small computing device (col 2, lines 4-10). It would have been obvious to an artisan at the time of the invention to include Gerdisch's teaching with device of Sampson and Williams in order to provide a method for extending battery life in a subscriber unit.

As per claim 20, which is dependent on claim 19, it is of the same scope as claim 15. (see rejection above)

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson et al. (US 6,490,624) in view of Williams et al. (US 5,977,964) further in view of the Aguilar et al. (US 6,430,687)

As per claim 10, which is dependent on claim 8, Sampson et al. and Williams teach the method of Claim 8. However they fail to teach the method further comprising:

(a) associating each application with a separate priority value; and

(b) employing each separate priority value to determine when to stop running each application on the small computing device during a period of inactivity.

Aguilar et al. teaches a method comprising:

(a) associating each application with a separate priority value (col 9, lines 42-49); and

(b) employing each separate priority value to determine when to stop running each application on the small computing device during a period of inactivity. (col 9, lines 45-60). It would have been obvious to an artisan at the time of the invention to include Aguilar et al's teaching with device of Sampson et al. and Williams et al. in order to reduce the likelihood of saturating network capacity.

Response to Argument

Applicant's arguments with respect to claims have been considered but are deemed to be moot in view of the new grounds of rejection.

Allowable Subject Matter

Claims 7, 11, 12 and 24-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior art either alone or in combination doesn't show or teach adjusting the interval of time comprises:

Increasing the length of the interval of time when the frequency of interaction with the application is greater than a defined value; and
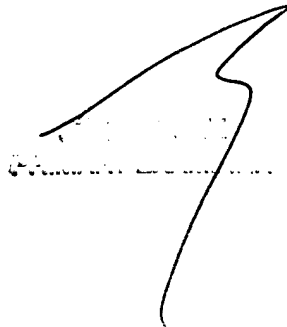
Decreasing the length of the interval of time when the frequency of interaction with the application is less than the defined value.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Peng Ke